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| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/090,779 | MURAKAMI ET AL. | |
| | Examiner Victor J. Taylor | Art Unit 2863 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 19 February 2004.
2. The allowed claim(s) is/are 1-37.
3. The drawings filed on 19 February 2004 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

DETAILED ACTION

Drawings

1. The drawings were received on 19 February 2004. These drawings are approved.

Response to Arguments

2. Applicant's arguments see paper 9, filed 19 February 2004, with respect to the amended abstract and the amended claims and the amended substitute specification have been fully considered and are persuasive. The objections to the abstract and the specification and claims 1-37 of 21 November 2003 are moot and have been withdrawn.
3. Applicant's arguments, see paper 9, filed 19 February 2004, with respect to the amendments in claims 1, 2, 4, 7, 9-18, 20, 22-29, 31 and 34-37 concerning the indefinite term "qualitative reasoning" have been fully considered and are persuasive. The 112-second rejection of 21 November 2003 is moot and has been withdrawn.
4. Applicant's arguments, see paper 9, filed 19 February 2004, with respect to the amendments in the independent claims 1, 18, 28, 35-37 combined with the amendments in the dependent claims 2, 4, 7-17, 20, 22-27 29, 31 and 34 with the arguments for the failure model, and the status value and with the home server and a center server on page 18 of the amendment and the arguments of record have been fully considered and are persuasive. The 103(b) rejection of 21 November 2003 is moot and has been withdrawn.

Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - I. Art A of Sandelman et al., US 6,160,477 in class 340/506 is cited for the system and method for monitoring remote equipment using sensors in communication with the remote equipment using an interface unit using antenna to receive signal and form a local network in the delivery server 1 in figure 1 and teaches remotely monitoring electrical and mechanical equipment in line 38 of column 2.
 - II. Art B of Burns US 4,567,557 in class 700/016 is cited for the system and method of a building intelligence system 10 using sensors 136 and a carrier transmitter unit with steps of using a dedicated programmable computer to provide a range of control in the computer device 34 in figure 1 and teaches installation of the system in a home to provide automatic control of the appliance in line 55 of column 1.

Allowable Subject Matter

6. Claims 1-37 are allowed.
7. The following is an examiner's statement of reasons for allowance:

The prior art of record does not suggest or disclose the claimed combination of apparatus elements or method steps as found in claim 1 and most particularly the claimed "a failure deciding unit operable to decide whether or not the electrical appliance has failed based on the acquired status value and the received failure model and the center server includes a failure model updating unit operable to update the

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failure model and send the updated failure model to the home server.” and is not found in the cited art of record.

The prior art of record does not suggest or disclose the claimed combination of apparatus elements or method steps as found in claim 18 and most particularly the claimed “a failure model deciding unit operable to decide whether or not the electrical appliance has failed based on the acquired status value and the received failure model, and a failure model updating unit operable to update the failure model based on the status value of the electrical appliance, wherein the failure deciding unit further decides whether or not the electrical appliance has failed based on the acquired status value and the updated model.” and is not found in the cited art of record.

The prior art of record does not suggest or disclose the claimed combination of apparatus elements or method steps as found in claim 25 and most particularly the claimed “deciding at the home server a failure of the electrical appliance based on the acquired status value and the received failure model.” or the particularly claimed steps of “updating at the center server the failed model based on the received status value of the electrical appliance and sending the updated failure model to the home server.” and is not found in the cited art of record.

The prior art of record does not suggest or disclose the claimed combination of apparatus elements or method steps as found in claim 28 and most particularly the claimed “a failure deciding unit operable to decide whether or not the electrical appliance has failed based on the acquired status value and the received failure model and the failure deciding unit decides whether or not the new electrical appliance has

failed according to an updated failure model after the failure deciding unit receives the updated failure model from the center server." and is not found in the cited art of record.

The prior art of record does not suggest or disclose the claimed combination of apparatus elements or method steps as found in claim 35 and most particularly the claimed "a failure model updating unit operable to update a failure model for deriving a decision as to whether or not the electrical appliance has failed from the status value based on the received status value of the electrical appliances and send the updated failure model to the home server." and is not found in the cited art of record.

The prior art of record does not suggest or disclose the claimed combination of apparatus elements or method steps as found in claim 36 and most particularly the claimed "a failure deciding program portion operable to allow the home server to decide whether or not the electrical appliance has failed based on the acquired status value and the received failure model wherein the failure program portion allows the home server to decide whether or not the electrical appliance has failed according to the updated failure model after the failure deciding program allows the home server to receive the updated failure model from the center server." and is not found in the cited art of record.

The prior art of record does not suggest or disclose the claimed combination of apparatus elements or method steps as found in claim 37 and most particularly the claimed " a failure model updating program portion to allow the center server to update a failure model for deriving a decision as to whether or not the electrical appliance has failed from the status value based on the received status value of the electrical

appliance and send the updated failure model to the home server.” and is not found in the cited art of record.

The prior art A of Sandelman et al., US 6,160,477 in class 340/506 teaches the system and method for monitoring remote equipment using sensors in communication with the remote equipment and teaches using the interface unit and teaches using the receiving antenna to receive the signal and teaches forming a local network in the delivery server 1 in figure 1 and teaches remotely monitoring the electrical and mechanical equipment using sensors and the local server in line 38 of column 2.

The prior art B of Burns US 4,567,557 in class 700/016 teaches the system and method of a building intelligence system 10 using sensors 136 and teaches using the carrier transmitter unit and teaches using steps in a dedicated programmable computer to provide a range of control over the computer device 34 in figure 1 and teaches the installation of the system in a home to provide the automatic control of the appliance in line 55 of column 1.

Therefore, the prior art Sandelman et al., and The prior art of Burns in combination or alone does not teach the present limitation of the claimed combination limitation.

Claims 2-17, 19-24, 26-27 and 29-34 are variously dependent on the allowed independent claims 1, 18 and 28 and are allowed at least for the reasons cited above.

It is these limitations expressed in each of these claims and not found, taught, or suggested in the prior art of record that makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor J. Taylor whose telephone number is 517-272-2281. The examiner can normally be reached on 8:00 to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on 571-272-2863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VJT


10 March 2004


John Barlow
Supervisory Patent Examiner
Technology Center 2800